



2855 /p

MS PETITION
PATENT
2927-0113P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Noritoshi NAKAGAWA et al. Conf.: 8419
Appl. No.: 09/607,324 Group: 2855
Filed: June 30, 2000 Examiner: ALLEN, Andre
For: VISCOELASTIC CHARACTERISTIC VALUE-MEASURING
APPARATUS AND METHOD OF MEASURING VISCOELASTIC
CHARACTERISTIC VALUE

LETTER

MS PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 25, 2004

Sir:

The Commissioner is respectfully requested to consider the Petition to Withdraw Abandonment filed September 3, 2003 in connection with the above-identified application. Withdrawal of abandonment is proper because a Reply was timely filed.

As evidence of the fact that a Petition to Withdraw Abandonment was filed, enclosed herewith are the following:

- 1) A copy of the Petition to Withdrawal Abandonment filed September 3, 2003;
- 2) A copy of the postcard receipt which was date stamped on September 3, 2003; and
- 3) A copy of the Reply filed July 29, 2003 (and copy of date-stamped postcard receipt).

It is requested that the abandonment status of the present application be immediately removed so that prosecution may resume with full consideration and entry into the record of the timely filed Reply and the Petition to Withdraw Abandonment.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert E. Goozner, Ph.D. (Reg. No. 42,593) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By



Andrew D. Meikle, #32,868


ADM/REG/jls
2927-0113P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000



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PETITION TO WITHDRAW ABANDONMENT
SINCE REPLY WAS TIMELY FILED

MS PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 3, 2003

Sir:

In response to the Notice of Abandonment mailed August 12, 2003, which issued in connection with the above-identified application, this is a Petition to withdraw the "abandonment status" of the present application, since a Reply was timely filed on July 29, 2003. As evidence of the fact that a Reply was timely filed, enclosed herewith are the following:

- a copy of the Reply filed July 29, 2003; and
- a copy of the postcard receipt which was date-stamped on July 29, 2003.

It is requested that the abandonment status of the present application be immediately removed so that prosecution may resume with full consideration and entry into the record of the timely filed Reply.

Appl. No. 09/607,324

If the U.S. Patent Examiner has any questions regarding the above matters, please contact Applicants' representative, Andrew D. Meikle, at the phone number listed below.

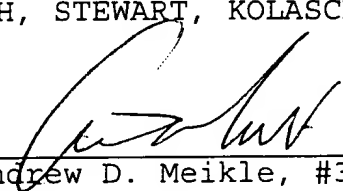
It is submitted that no fees are required for filing this Petition, since the error occurred because of a mistake on the part of the U.S. Patent and Trademark Office.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Andrew D. Meikle, #32,868


ADM/REG/jeb
2927-0113

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachments: Copy of Reply
 Copy of postcard receipt

(Rev. 04/30/03)



Papers Filed herewith on: 9-3-03 35
DOCKET NO. 2927-0113P
ATTY.: ADMIREX
APPLICANT(S): NAKAGAWA et al.
USSN: 09/007,324 FILED: 6-30-2000
PAT NO.: _____

☐ New Application with Transmittal Letter
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV
☐ Filing Under 37 CFR 1.53(d) (CPA)
☐ Specification Consisting of: _____ pages
☐ Combined Declaration & Power of Attorney
☐ Assignment / Cover Letter
☐ Letter to Official Draftsman
☐ Drawings _____ Sheets ☐ Formal ☐ Informal ☐ Red-Ink
☐ Completion of Filing Requirements, PCT/DO/EO/905
or PTO-1533 and Executed Declaration
☐ Priority Document(s) / Cover Letter, No. Doc. _____
☐ Amendment: _____
☐ Transmtl Ltr ☐ Large Entity ☐ Small Entity
☐ Response
☐ Information Disc Stmnt. PTO-1449(s) doc(e)
☐ Notice of Appeal ☐ Appeal Brief
☐ Issue Fee Transmittal
☐ FEES:
☒ Letter: Petition to Withdraw from Prosecution
☒ Other: Copy Reply Filed
Copy of USPTO-stamped postcard
dated 07-29-03

Receipt is hereby acknowledged of the papers filed as
indicated in connection with the above identified case.
COMMISSIONER OF PATENTS AND TRADEMARKS
Due Date: 10-12-03
Handcarry: _____

DOCKET NO. 2927-0113P

OIPE JC171
SEP 03 2003
PATENT & TRADEMARK OFFICE

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Papers Filed herewith on: 7/29/03
DOCKET NO.: 2927-0113P ATT.: ADM/REG
APPLICANT(S): Naitoshi Nakagawa et al.
APP. N. NO. 09/007,324 FILED: 6/30/00
PAT NO.: _____

☐ New Application with Transmittal Letter
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV
☐ Filing Under 37 CFR 1.53(d) (CPA)
☐ Filing Under 37 CFR 1.114(RCE)
☐ Specification Consisting of: _____ pages
☐ Combined Declaration & Power of Attorney
☐ Assignment / Cover Letter
☐ Letter to Official Draftsman
☐ Drawings _____ Sheets ☐ Formal ☐ Informal ☒ Red Ink
☐ Completion of Filing Requirements, PCT/PO/EO/905
or Formalities Letter and Executed Declaration
☐ Priority Document(s) / Cover Letter, No. Doc. Jul 29 2003
☒ Amendment: _____
☒ Transmittal Ltr ☒ Large Entity ☐ Small Entity
☐ Response _____
☐ Information Disc. Stmt. PTO-1449(s) _____
☒ Notice of Appeal ☐ Appeal Brief
☐ Issue Fee Transmittal ☐ Sequence Listing
FEES: \$930.00 \$9004820
Letter: \$320.00 \$9004834
☐ Other: _____

DOCKET NO. 2927-0113P

Receipt is hereby acknowledged of the papers filed as indicated in connection with the above identified case.
COMMISSIONER OF PATENTS AND TRADEMARKS
Due Date: 7/29/03
Handary: _____

